

REMARKS

Claims 1-28 remain pending in the application, with claims 7-16 being withdrawn from consideration.

Claims 1-3, 5, 6, 17-19, 21-25, 27 and 28 over Gossman in view of West

In the Office Action, claims 1-3, 5, 6, 17-19, 21-25, 27 and 28 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Gossman et al. U.S. Patent No. 6,181,935 ("Gossman") in view of West et al. U.S. Patent No. 6,081,508 ("West"). The Applicants respectfully traverse the rejection.

Claims 1-3, 5 and 6 recite, *inter alia*, an SMTP protocol communication channel and a plurality of subscriber queues each corresponding to a different subscriber in a wireless network, a short message being placed in at least one of the plurality of subscriber queues before delivery to the wireless network. Claims 17-19 and 21-25, 27 and 28 recite, *inter alia*, placing a short message in at least one of a plurality of subscriber queues before delivery to a wireless network, the plurality of subscriber queues each corresponding to a different subscriber in the wireless network.

Gossman appears to teach a mobility extended telecommunications application comprising an integrated wireless and wirelined network with central control (Gossman, Abstract). A programmed interface translates between different protocols of the wireless and wirelined networks to allow for customized services to be furnished to the wireless network (Gossman, Abstract). Instant Information from the World Wide Web can be delivered to a wireless handset in the form of a short message (SMS) (Gossman, col. 6, lines 22-36). Gossman's SS7 data network interconnects mobility controllers with each other for data communications, i.e., the transfer of necessary data from a subscriber's HLR to a VLR in the mobility controller the subscriber's mobile station is currently communicating with (Gossman, col. 3, lines 62-67).

The Office Action correctly acknowledges that Gossman fails to teach a short message being placed in at least one of a plurality of subscriber queues before delivery to a wireless network (Office Action, page 2). However, the Office Action relies on West to allegedly make up for the deficiencies in

Gossman to arrive at the claimed invention. The Applicants respectfully disagree.

West appears to teach a number of remote computers communicating with one or more local computers over a variety of communication paths (Fig. 1; col. 4, lines 56-65). The system selects an appropriate type of communication path by attempting to provide the lowest cost of connection, where total cost reflects both monetary and performance factors weighted appropriately for a particular user (West, col. 5, lines 40-50). A delivery system provides communication services between software modules executing on the same machine as well as modules executing on different machines (West, col. 23, lines 34-36). The software module sends messages to other modules on behalf of a specific user (West, col. 23, lines 43-51). A delivery module accepts messages from a delivery user addressed to other delivery users in one of two modes, i.e., a direct mode or a non-direct mode (West, col. 23, lines 52-64). If a delivery user publishes a message, that message is passed to user message queues (West, col. 25, lines 3-6). A sync handler accepts the message and determines where to send the message using a knowledge base (West, col. 25, lines 7-9). The knowledge base includes information related to all user subscriptions that have been registered at this and other delivery modules (West, col. 25, lines 9-11). Based on the knowledge base, the sync handler determines which local and remote delivery modules have users that have registered for published delivery (West, col. 25, lines 11-14). For each local delivery, the message is placed in an appropriate local user message queue (West, col. 25, lines 16-18).

West is relied on to teach a short message being placed in at least one of a plurality of subscriber queues before delivery to a wireless network. However, West teaches neither a plurality of subscriber queues nor a wireless network. West teaches user message queues in a computer network NOT subscriber queues corresponding to subscribers in a wireless network, as claimed by claims 1-3, 5, 6, 17-19, 21-25, 27 and 28.

Moreover, even if Gossman and West taught all of the claimed limitations (which they do not), their two systems are completely different, thus a

non-obvious combination. Gossman teaches a telecommunications system having a programmed interface that translates between different protocols of the wireless and wirelined networks to allow for customized services to be furnished to the wireless network. West teaches a computer network for cost effectively passing messages between computers thereon.

Neither Gossman nor West, either alone or in combination, disclose, teach or suggest an SMTP protocol communication channel and a plurality of **subscriber** queues each corresponding to a different **subscriber** in a wireless network, or a short message being placed in at least one of the plurality of subscriber queues before delivery to the wireless network, as respectively claimed by claims 1-3, 5, 6, 17-19, 21-25, 27 and 28.

Accordingly, for at least all the above reasons, claims 1-3, 5, 6, 17-19, 21-25, 27 and 28 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 4, 20 and 26 over Gossman in view of Coutts

In the Office Action, claims 4, 20 and 26 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Gossman in view of Coutts et al. U.S. Patent No. 5,974,054 ("Coutts"). The Applicants respectfully traverse the rejection.

Claims 4, 20 and 26 are dependent on claims 1, 17 and 23 respectively, and are allowable for at least the same reasons as claims 1, 17 and 23.

Claim 4 recites, *inter alia*, an SMTP protocol communication channel and a plurality of **subscriber** queues each corresponding to a different **subscriber** in a wireless network, a short message being placed in at least one of the plurality of subscriber queues before delivery to the wireless network. Claims 20 and 26 recite, *inter alia*, placing a short message in at least one of a plurality of subscriber queues before delivery to a wireless network, the plurality of subscriber queues each corresponding to a different subscriber in the wireless network.

As discussed above and as correctly acknowledged by the Examiner (Office Action, page 2), Gossman fails to teach an SMTP protocol communication channel and a plurality of subscriber queues each corresponding to a different subscriber in a wireless network, or a short message being placed in at least one of the plurality of subscriber queues before delivery to the wireless network, as respectively claimed by claims 4, 20 and 26.

The Office Action relies on Coutts to allegedly make up for the deficiencies in Gossman to arrive at the claimed invention. The Applicants respectfully disagree.

Coutts appears to teach a method in a radio messaging system for forming a current frame of data, while maintaining a current transmission order for numbered messages (Coutts, col. 1, lines 51-54). A processor selects a candidate message from a message queue (Abstract). The processor tests whether an available space in a current frame of data is sufficient to accommodate the candidate message (Coutts, Abstract).

Coutts teaches a single FIFO message queue that messages are retrieved from. Coutts's single FIFO message queue is NOT a plurality of subscriber queues, much less a plurality of subscriber queues each corresponding to a different subscriber in a wireless network, and a short message being placed in at least one of the plurality of subscriber queues before delivery to the wireless network, as claimed by claims 4, 20 and 26.

Neither Gossman nor Coutts disclose, teach or suggest an SMTP protocol communication channel and a plurality of subscriber queues each corresponding to a different subscriber in a wireless network, or a short message being placed in at least one of the plurality of subscriber queues before delivery to the wireless network, as claimed by claims 4, 20 and 26.

Accordingly, for at least all the above reasons, claims 4, 20 and 26 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



William H. Bollman
Reg. No. 36,457

Manelli Denison & Selter PLLC
2000 M Street, NW
Suite 700
Washington, DC 20036-3307
TEL. (202) 261-1020
FAX. (202) 887-0336

WHB/df